

HOUSE BILL No. 1272

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15-5-1; IC 16-18-2-295; IC 25-1-2-2.1; IC 25-23.6; IC 35-51-25-1.

Synopsis: Art therapy. Provides that art therapy services provided to an individual in a community mental health center are reimbursable under Medicaid. Provides for the licensure of professional art therapists by an art therapy board through the professional licensing agency. Establishes qualifications and requirements for a licensed professional art therapist. Makes it a Class A misdemeanor to practice as an art therapist without a license. Makes conforming changes.

Effective: July 1, 2014.

Stemler

January 14, 2014, read first time and referred to Committee on Employment, Labor and Pensions.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1272

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-15-5-1, AS AMENDED BY P.L.274-2013,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 1. Except as provided in IC 12-15-2-12,
4 IC 12-15-6, and IC 12-15-21, the following services and supplies are
5 provided under Medicaid:
6 (1) Inpatient hospital services.
7 (2) Nursing facility services.
8 (3) Physician's services, including services provided under
9 IC 25-10-1 and IC 25-22.5-1.
10 (4) Outpatient hospital or clinic services.
11 (5) Home health care services.
12 (6) Private duty nursing services.
13 (7) Physical therapy and related services.
14 (8) Dental services.
15 (9) Prescribed laboratory and x-ray services.
16 (10) Prescribed drugs and pharmacist services.



- (11) Eyeglasses and prosthetic devices.
- (12) Optometric services.
- (13) Diagnostic, screening, preventive, and rehabilitative services.
- (14) Podiatric medicine services.
- (15) Hospice services.
- (16) Services or supplies recognized under Indiana law and specified under rules adopted by the office.
- (17) Family planning services except the performance of abortions.
- (18) Nonmedical nursing care given in accordance with the tenets and practices of a recognized church or religious denomination to an individual qualified for Medicaid who depends upon healing by prayer and spiritual means alone in accordance with the tenets and practices of the individual's church or religious denomination.
- (19) Services provided to individuals described in IC 12-15-2-8 and IC 12-15-2-9.
- (20) Services provided under IC 12-15-34 and IC 12-15-32.
- (21) Case management services provided to individuals described in IC 12-15-2-11 and IC 12-15-2-13.
- (22) Any other type of remedial care recognized under Indiana law and specified by the United States Secretary of Health and Human Services.
- (23) Examinations required under IC 16-41-17-2(a)(10).
- (24) Art therapy provided by a professional art therapist licensed under IC 25-23.6-12 to an individual receiving services at a facility described in IC 12-29-2.**

SECTION 2. IC 16-18-2-295, AS AMENDED BY P.L.141-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.5.

(b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the following:

- (1) An individual (other than an individual who is an employee or a contractor of a hospital, a facility, or an agency described in subdivision (2) or (3)) who is licensed, registered, or certified as a health care professional, including the following:
 - (A) A physician.
 - (B) A psychotherapist.
 - (C) A dentist.
 - (D) A registered nurse.
 - (E) A licensed practical nurse.



- 1 (F) An optometrist.
- 2 (G) A podiatrist.
- 3 (H) A chiropractor.
- 4 (I) A physical therapist.
- 5 (J) A psychologist.
- 6 (K) An audiologist.
- 7 (L) A speech-language pathologist.
- 8 (M) A dietitian.
- 9 (N) An occupational therapist.
- 10 (O) A respiratory therapist.
- 11 (P) A pharmacist.
- 12 (Q) A sexual assault nurse examiner.
- 13 **(R) A professional art therapist.**
- 14 **(S) A professional art therapist associate.**
- 15 (2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or
- 16 described in IC 12-24-1 or IC 12-29.
- 17 (3) A health facility licensed under IC 16-28-2.
- 18 (4) A home health agency licensed under IC 16-27-1.
- 19 (5) An employer of a certified emergency medical technician, a
- 20 certified advanced emergency medical technician, or a licensed
- 21 paramedic.
- 22 (6) The state department or a local health department or an
- 23 employee, agent, designee, or contractor of the state department
- 24 or local health department.
- 25 (c) "Provider", for purposes of IC 16-39-7-1, has the meaning set
- 26 forth in IC 16-39-7-1(a).
- 27 (d) "Provider", for purposes of IC 16-48-1, has the meaning set forth
- 28 in IC 16-48-1-3.
- 29 SECTION 3. IC 25-1-2-2.1, AS AMENDED BY P.L.232-2013,
- 30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2014]: Sec. 2.1. Rather than being issued annually, the
- 32 following permits, licenses, certificates of registration, or evidences of
- 33 authority granted by a state agency must be issued for a period of two
- 34 (2) years or for the period specified in the article under which the
- 35 permit, license, certificate of registration, or evidence of authority is
- 36 issued if the period specified in the article is longer than two (2) years:
- 37 (1) Certified public accountants, public accountants, and
- 38 accounting practitioners.
- 39 (2) Architects and landscape architects.
- 40 (3) Dry cleaners.
- 41 (4) Professional engineers.
- 42 (5) Professional surveyors.



- 1 (6) Real estate brokers.
- 2 (7) Real estate agents.
- 3 (8) Security dealers' licenses issued by the securities
- 4 commissioner.
- 5 (9) Dental hygienists.
- 6 (10) Dentists.
- 7 (11) Veterinarians.
- 8 (12) Physicians.
- 9 (13) Chiropractors.
- 10 (14) Physical therapists.
- 11 (15) Optometrists.
- 12 (16) Pharmacists and assistants, drugstores or pharmacies.
- 13 (17) Motels and mobile home community licenses.
- 14 (18) Nurses.
- 15 (19) Podiatrists.
- 16 (20) Occupational therapists and occupational therapy assistants.
- 17 (21) Respiratory care practitioners.
- 18 (22) Social workers, marriage and family therapists, ~~and~~ mental
- 19 health counselors, **art therapists, and art therapist associates.**
- 20 (23) Real estate appraiser licenses and certificates issued by the
- 21 real estate appraiser licensure and certification board.
- 22 (24) Wholesale legend drug distributors.
- 23 (25) Physician assistants.
- 24 (26) Dietitians.
- 25 (27) Athlete agents.
- 26 (28) Manufactured home installers.
- 27 (29) Home inspectors.
- 28 (30) Massage therapists.
- 29 (31) Interior designers.
- 30 (32) Genetic counselors.
- 31 (33) Direct entry midwives.

32 SECTION 4. IC 25-23.6-1-1.1 IS ADDED TO THE INDIANA
 33 CODE AS A NEW SECTION TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2014]: **Sec. 1.1. "Accredited institution"**
 35 **means:**

- 36 (1) a university or college accredited by a nationally
- 37 recognized agency providing accreditation of institutions of
- 38 higher education; or
- 39 (2) an institution or clinical program approved by the
- 40 American Art Therapy Association (AATA).

41 SECTION 5. IC 25-23.6-1-4.2 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2014]: **Sec. 4.2. "License holder" means a:**

(1) licensed professional art therapist; or

(2) licensed professional art therapist associate;

licensed under IC 25-23.6-12.

SECTION 6. IC 25-23.6-1-4.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 4.6. "Licensed professional art therapist" or "LPAT" means a person who has:**

(1) completed a master's or doctoral degree program in art therapy, or an equivalent course of study, from an accredited educational institution;

(2) completed all the requirements set forth in IC 25-23.6-12; and

(3) been issued a license by the board for the independent practice of art therapy.

SECTION 7. IC 25-23.6-1-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 4.7. "Licensed professional art therapist associate" or "LPATA" means a person who has completed a master's or doctoral degree program in art therapy, or an equivalent course of study, from an accredited educational institution, and has been issued a license by the board to practice art therapy under an approved clinical supervisor as authorized by the board.**

SECTION 8. IC 25-23.6-1-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 8.5. "Professional art therapy" means the integrated use of psychotherapeutic principles, human development theory, and counseling techniques using art media and the creative process in the assessment, evaluation, treatment, amelioration, and remediation of psychological, social, educational, physical, and developmental impairment and disorders in children, adolescents, adults, families, and groups.**

SECTION 9. IC 25-23.6-2-2, AS AMENDED BY P.L.122-2009, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2. (a) The board consists of ~~eleven (11)~~ thirteen (13) members appointed by the governor for terms of three (3) years. The board must include the following:**

(1) Two (2) marriage and family therapists who:

(A) have at least a master's degree in marriage and family therapy or a related field from an eligible postsecondary educational institution;



- 1 (B) are licensed under this chapter; and
- 2 (C) have at least five (5) years of experience in marriage and
- 3 family therapy.
- 4 (2) One (1) social worker who:
 - 5 (A) has at least a master's degree in social work from an
 - 6 eligible postsecondary educational institution accredited by the
 - 7 Council on Social Work Education;
 - 8 (B) is licensed under this article; and
 - 9 (C) has at least five (5) years of experience as a social worker.
- 10 (3) One (1) social services director of a hospital with a social
- 11 work degree who has at least three (3) years of experience in a
- 12 hospital setting.
- 13 (4) Two (2) mental health counselors who:
 - 14 (A) have at least a master's degree in mental health counseling;
 - 15 (B) are licensed under this article; and
 - 16 (C) have at least five (5) years experience as a mental health
 - 17 counselor.
- 18 (5) Two (2) consumers who have never been credentialed under
- 19 this article.
- 20 (6) One (1) physician licensed under IC 25-22.5 who has training
- 21 in psychiatric medicine.
- 22 (7) Two (2) licensed clinical addiction counselors who:
 - 23 (A) are licensed under IC 25-23.6-10.5; and
 - 24 (B) have at least five (5) years experience in clinical addiction
 - 25 counseling.
- 26 **(8) Two (2) licensed professional art therapists who:**
 - 27 **(A) are licensed under IC 25-23.6-12; and**
 - 28 **(B) have at least five (5) years experience in art therapy.**
- 29 (b) Not more than ~~six (6)~~ **seven (7)** members of the board may be
- 30 from the same political party.
- 31 SECTION 10. IC 25-23.6-2-8, AS AMENDED BY P.L.122-2009,
- 32 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2014]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2
- 34 establishing standards for the following:
 - 35 (1) The competent practice of marriage and family therapy, social
 - 36 work, clinical social work, mental health counseling, addiction
 - 37 counseling, ~~and~~ clinical addiction counseling, **and professional**
 - 38 **art therapy.**
 - 39 (2) The renewal of licenses issued under this article.
 - 40 (3) Standards for the administration of this article.
 - 41 (4) Continuing education requirements for an individual seeking
 - 42 renewal of licensure as a social worker, clinical social worker, ~~or~~



marriage and family therapist, **licensed professional art therapist, or licensed professional art therapist associate.**

(5) The retention of patient records and reports by a counselor or **therapist.**

(6) The approval of continuing education providers, programs, courses, fees, and proof of course completion.

(b) The board shall establish fees under IC 25-1-8-2.

(c) The board shall do the following:

(1) Consider the qualifications of individuals who apply for a license under this article.

(2) Provide for examinations required under this article.

(3) Subject to IC 25-1-8-6, renew licenses under this article.

(4) Conduct proceedings under IC 25-1-9.

SECTION 11. IC 25-23.6-2-10.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 10.6. (a) The professional art therapist section of the board is established. The section consists of the following:**

(1) **Two (2) licensed professional art therapist members of the board.**

(2) **Two (2) consumer members of the board.**

(3) **One (1) physician member of the board.**

(b) **Three (3) members of the professional art therapist section, two (2) of whom must be licensed professional art therapists, constitute a quorum.**

SECTION 12. IC 25-23.6-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 12. Professional Art Therapy

Sec. 1. (a) After July 1, 2015, an individual may not:

(1) **profess to be a licensed professional art therapist;**

(2) **use the title:**

(A) **"licensed professional art therapist";**

(B) **"licensed art therapist"; or**

(C) **"art therapist";**

(3) **use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed professional art therapist; or**

(4) **practice professional art therapy for compensation; unless the individual is licensed under this chapter.**

(b) **After July 1, 2015, an individual may not:**

(1) **profess to be a licensed professional art therapist**



associate;

(2) use the title:

(A) "licensed professional art therapist associate";

(B) "licensed art therapist associate"; or

(C) "art therapist associate";

(3) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed professional art therapist associate; or

(4) practice professional art therapy for compensation;

unless the individual is licensed under this chapter.

Sec. 2. (a) This chapter may not be construed to limit the services performed by a person who does not use a title specified in this article and who is one (1) of the following:

(1) A licensed, registered, or certified health care professional acting within the scope of the person's license, registration, or certificate.

(2) A student, an intern, a trainee pursuing a course of study in medicine, a course of study in psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution, or a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the person uses a title that contains the term "intern" or "trainee".

(3) Not a resident of Indiana, if the person performed the services in Indiana for not more than:

(A) five (5) days in any one (1) month; or

(B) fifteen (15) days within any one (1) calendar year;

and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for an organization who is performing charitable, religious, or educational functions, providing pastoral counseling, or providing other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol



1 or drug abuse addictions.

2 (7) A governmental employee who remains in the same job
3 classification or job family of that job classification.

4 (8) A teacher who teaches in the subject area for which the
5 teacher is certified and holds a license.

6 (b) This section does not prohibit a person referred to in
7 subsection (a) from qualifying for licensure under this article.

8 **Sec. 3. An individual who is licensed as a licensed professional
9 art therapist shall:**

10 (1) display the license or a clear copy of the license at each
11 location where the licensed professional art therapist
12 regularly practices; and

13 (2) include the words "licensed professional art therapist" or
14 the letters "LPAT" on all promotional materials, including
15 business cards, brochures, stationery, advertisements, and
16 signs, that name the individual.

17 **Sec. 4. The board shall issue a license as a licensed professional
18 art therapist to any person who files a completed application,
19 accompanied by the required fees, and who:**

20 (1) furnishes satisfactory evidence to the board that the
21 applicant is at least twenty-one (21) years of age;

22 (2) furnishes satisfactory evidence to the board that the
23 applicant does not have a conviction for a crime that has a
24 direct bearing on the applicant's ability to practice
25 competently;

26 (3) furnishes satisfactory evidence to the board that the
27 applicant has not been the subject of a disciplinary action by
28 a licensing or certification agency of another state or
29 jurisdiction on the grounds that the applicant was not able to
30 practice professional art therapy without endangering the
31 public;

32 (4) demonstrates professional competency by satisfactorily
33 passing the examination required by the board;

34 (5) furnishes satisfactory evidence that the applicant has met:

35 (A) the educational requirements set forth in section 14 of
36 this chapter; and

37 (B) the clinical experience requirements set forth in section
38 15 of this chapter; and

39 (6) is:

40 (A) a registered art therapist as defined by the Art
41 Therapy Credentials Board, Inc., and has passed the
42 examination required by the Art Therapy Credentials



1 Board, Inc.; or

2 (B) a board certified art therapist as defined by the Art
3 Therapy Credentials Board, Inc.

4 Sec. 5. The board shall adopt rules under IC 4-22-2 to allow for
5 the approval of licensure, on a case by case basis, for applicants
6 who have a master's degree or doctoral degree from nonaccredited
7 institutions.

8 Sec. 6. The board shall adopt rules under IC 4-22-2 to allow for
9 the issuance of a license to an applicant without examination if the
10 applicant possesses a valid regulatory document issued by the
11 appropriate examining board under the laws of any other state or
12 territory of the United States, the District of Columbia, or any
13 foreign nation that, in the judgment of the board, has requirements
14 substantially equivalent to or exceeding the requirements in this
15 chapter.

16 Sec. 7. The board may issue a license as a licensed professional
17 art therapist associate for a period not to exceed two (2) years to an
18 applicant who has:

- 19 (1) completed the educational requirements under section 14
20 of this chapter;
- 21 (2) obtained a board approved supervisor of record;
- 22 (3) paid the required fees;
- 23 (4) furnished satisfactory evidence to the board that the
24 applicant does not have a conviction for a crime that has a
25 direct bearing on the applicant's ability to practice
26 competently; and
- 27 (5) furnished satisfactory evidence to the board that the
28 applicant has not been the subject of a disciplinary action by
29 a licensing or certification agency of another state or
30 jurisdiction on the grounds that the applicant was not able to
31 practice professional art therapy without endangering the
32 public.

33 Sec. 8. A licensed professional art therapist associate shall
34 maintain ongoing supervision as approved by the board until the
35 associate has:

- 36 (1) completed the client contact hours of postgraduate
37 experience under appropriate supervision required under
38 section 15 of this chapter;
- 39 (2) passed an examination approved by the board; and
- 40 (3) paid the required fees.

41 Sec. 9. (a) If, two (2) years after receiving a license as a licensed
42 professional art therapist associate, an individual has not



1 completed the requirements for licensure as a licensed professional
 2 art therapist, the individual may submit to the board an
 3 application for an extension of the individual's license as a licensed
 4 professional art therapist associate.

5 (b) An application under subsection (a) must include:

6 (1) a plan for completing the requirements to obtain licensure
 7 as a licensed professional art therapist;

8 (2) documentation of compliance with the continuing
 9 education requirements for a licensed professional art
 10 therapist associate;

11 (3) documentation of compliance with the supervised clinical
 12 experience requirements under section 15 of this chapter;

13 (4) letters of recommendation from two (2) supervisors of
 14 record; and

15 (5) payment of an extension fee to be determined by the
 16 board.

17 (c) Upon review of an application for extension and
 18 accompanying documentation, the board may approve an
 19 extension of the license as a licensed professional art therapist
 20 associate for a period not to exceed two (2) years.

21 Sec. 10. If, at the end of an extension granted under section 9 of
 22 this chapter, the individual has not completed all requirements for
 23 licensure as a licensed professional art therapist, the board shall
 24 rescind the individual's license as a licensed professional art
 25 therapist associate, and the individual may not practice
 26 professional art therapy or refer to himself or herself by any title
 27 that would indicate that the individual is licensed by the board.

28 Sec. 11. A licensed professional art therapist associate may
 29 apply for a license as a licensed professional art therapist upon:

30 (1) registration with the Art Therapy Credentials Board, Inc.;
 31 and

32 (2) passage of an examination approved by the board.

33 Sec. 12. An individual who is a registered art therapist (ATR),
 34 as defined by the Art Therapy Credentials Board, Inc., but who has
 35 not passed the required examination shall maintain the individual's
 36 professional art therapist associate license in order to practice
 37 under board approved supervision and shall be scheduled to take
 38 the next examination in accordance with the requirements of the
 39 board.

40 Sec. 13. A licensed professional art therapist associate may not
 41 supervise licensed professional art therapists, other licensed
 42 professional art therapist associates, or applicants for those



licenses.

Sec. 14. To receive a license under this chapter, an applicant must have completed one (1) of the following educational requirements:

(1) A master's or doctoral degree program in professional art therapy from a program that was approved by the American Art Therapy Association (AATA) at the time of the applicant's graduation. The master's or doctoral program must:

(A) be comprised of at least forty-eight (48) and not more than sixty (60) semester hours; and

(B) include not less than seven hundred (700) hours of supervised internship experience from an AATA accredited institution or its equivalent.

If the program is no longer AATA approved, the applicant must obtain verification of past approval directly from the AATA and submit that verification along with the application.

(2) If the applicant does not hold a master's or higher degree from a program approved by the AATA, a master's or doctoral degree in a related field and have completed not less than seven hundred (700) hours of supervised internship experience from an accredited institution. The degree program in a related field must be comprised of a number of credit hours determined by the board, in graduate level courses in the following topics:

(A) History and theory of art therapy.

(B) Techniques of practice in art therapy.

(C) Application of art therapy with people in different treatment settings.

(D) Group dynamics, processes, counseling, and consultation.

(E) Art therapy assessment.

(F) Ethics and legal issues of art therapy practice.

(G) Standards of practice in art therapy.

(H) Human growth and development.

(I) Psychopathology and abnormal psychology.

(J) Counseling and psychological theories and practice.

(K) Cultural and social diversity.

(L) Research and program evaluation.

All coursework under this section must earn credit from a college or university approved by a national or regional accrediting agency.



1 **Sec. 15. (a)** An applicant for licensure under this chapter must
 2 have completed one (1) of the following clinical experience
 3 requirements:

4 (1) If the applicant holds a degree described in section 14(1)
 5 of this chapter, the applicant must have completed at least one
 6 thousand (1,000) hours of postgraduate direct clinical
 7 experience obtained over a two (2) year period. The clinical
 8 experience must include one hundred (100) hours of face to
 9 face supervision under a licensed professional art therapist or
 10 an equivalent supervisor, as determined by the board.

11 (2) If the applicant holds a degree described in section 14(2)
 12 of this chapter, the applicant must have completed at least one
 13 thousand five hundred (1,500) hours of postgraduate direct
 14 clinical experience obtained over a two (2) year period. The
 15 clinical experience must include one hundred fifty (150) hours
 16 of face to face supervision under a licensed professional art
 17 therapist or an equivalent supervisor, as determined by the
 18 board.

19 (b) A doctoral internship may be applied toward the supervised
 20 clinical experience requirement.

21 (c) Except as provided in subsection (d), the clinical experience
 22 requirement may be met by work performed at or away from the
 23 premises of the supervising licensed professional art therapist.

24 (d) The clinical experience requirement may not be performed
 25 away from the supervising licensed professional art therapist's
 26 premises if the work is not performed at a place that is under the
 27 supervision of a licensed professional art therapist or an equivalent
 28 supervisor, as determined by the board.

29 **Sec. 16. (a)** The license of a licensed professional art therapist
 30 issued under this chapter is valid for two (2) years, or for the
 31 remainder of the renewal period in effect on the date the license is
 32 issued.

33 (b) A licensed professional art therapist may renew the
 34 individual's license by:

35 (1) submitting a renewal application on a form provided by
 36 the board;

37 (2) paying a renewal fee on or before the expiration date of
 38 the license; and

39 (3) completing at least twenty (20) hours of continuing
 40 education per licensure year.

41 **Sec. 17. (a)** The license of a licensed professional art therapist
 42 associate issued under this chapter is valid for two (2) years, or for



1 the remainder of the renewal period in effect on the date the license
2 is issued.

3 (b) A licensed professional art therapist associate may renew the
4 individual's license by:

5 (1) submitting a renewal application on a form provided by
6 the board;

7 (2) paying a renewal fee on or before the expiration date of
8 the license; and

9 (3) completing at least twenty (20) hours of continuing
10 education per licensure year.

11 (c) The board may renew the license of a licensed professional
12 art therapist associate for additional periods of up to five (5) years,
13 based on circumstances determined by the board.

14 Sec. 18. (a) If, not more than ninety (90) days after the
15 expiration date of a license issued under this chapter, an individual
16 has failed to pay the renewal fee required to renew the license, the
17 individual may renew the license by paying the renewal fee, paying
18 a late fee, and complying with all renewal requirements.

19 (b) If, more than ninety (90) days after the expiration date of a
20 license issued under this chapter, an individual has failed to pay the
21 renewal fee required to renew the license, the license becomes
22 invalid.

23 (c) The board may reinstate an invalid license issued to a
24 licensed professional art therapist under this chapter up to three
25 (3) years after the expiration date of the license if the individual
26 holding the license meets the requirements under this chapter. If
27 more than three (3) years have elapsed since the date the license
28 expired, the individual holding the license may have the license
29 reinstated by satisfying the requirements for reinstatement
30 established by the board and meeting the requirements under this
31 chapter.

32 (d) The board may reinstate an invalid license issued to a
33 licensed professional art therapist associate under this chapter up
34 to one (1) year after the expiration date of the license if the
35 individual holding the license meets the requirements under this
36 chapter. A license issued to a licensed professional art therapist
37 associate under this chapter that remains expired for more than
38 one (1) year may not be reinstated under this chapter.

39 Sec. 19. (a) The board may issue a temporary permit to allow an
40 individual to profess to be a professional art therapist if the
41 individual pays a fee and:

42 (1) has a valid license or certificate to practice professional art



therapy issued by another state and has applied for a license under this chapter;

(2) is practicing in a state that does not license or certify professional art therapists but is certified by a national association approved by the board, and has applied for a license under this chapter; or

(3) has been approved by the board to take the examination required for licensure under this chapter, has graduated from a school or program approved by the board, and has completed the clinical experience required for licensure under this chapter.

(b) A temporary permit expires on the earlier of:

(1) the date the individual holding the permit is issued a license under this chapter; or

(2) the date the board disapproves the individual's application for a license under this chapter.

(c) The board may renew a temporary permit if the individual holding the permit was scheduled to take the next examination required for licensure under this chapter and the individual:

(1) did not take the examination; and

(2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

Sec. 20. (a) An individual who is licensed under this chapter shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

(1) record the fact the individual is retired; and

(2) release the individual from further payment of renewal fees and continuing education requirements.

(c) If, within a period of five (5) years after a licensee retires, the licensee wishes to resume practice as a licensed professional art therapist or as a licensed professional art therapist associate, the individual shall notify the board in writing, and upon:

(1) giving proof of completing the required continuing education;

(2) payment of an amount equivalent to elapsed renewal fees; and

(3) for a licensed professional art therapist associate, providing documentation of obtaining a board approved supervisor of record;



the license shall be restored.

Sec. 21. An individual who applies for a license under this chapter may be exempted by the board from the examination requirement under this chapter if the individual:

- (1) is licensed or certified to practice as a licensed professional art therapist in another state, or has passed a licensing examination substantially equivalent to the licensing examination required under this chapter;
- (2) has not committed any act or is not under investigation for any act that constitutes a violation of this article;
- (3) is otherwise qualified under this chapter; and
- (4) pays a fee determined by the board.

Sec. 22. A person who knowingly or intentionally practices professional art therapy without holding a license or permit issued under this chapter commits a Class A misdemeanor.

SECTION 13. IC 35-51-25-1, AS AMENDED BY P.L.13-2013, SECTION 147, P.L.232-2013, SECTION 26, AND P.L.264-2013, SECTION 16, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. The following statutes define crimes in IC 25:

- IC 25-2.1-13-3 (Concerning accountants).
- IC 25-2.5-3-4 (Concerning acupuncturists).
- IC 25-5.1-4-2 (Concerning athletic trainers).
- IC 25-5.2-2-12 (Concerning athlete agents).
- IC 25-6.1-7-1 (Concerning auctioneers and auctions).
- IC 25-6.1-7-2 (Concerning auctioneers and auctions).
- IC 25-8-15.4-25 (Concerning beauty culture).
- IC 25-10-1-11 (Concerning chiropractors).
- IC 25-11-1-12 (Concerning collection agencies).
- IC 25-13-1-3 (Concerning dental hygienists).
- IC 25-14-1-25 (Concerning dentists).
- IC 25-14-1-25.5 (Concerning dentists).*
- IC 25-14-4-6 (Concerning dentists).
- IC 25-14.5-7-2 (Concerning dietitians).
- IC 25-16-1-18 (Concerning employment services).
- IC 25-17.3-5-3 (Concerning genetic counselors).
- IC 25-17.6-8-2 (Concerning geologists).
- IC 25-18-1-19 (Concerning distress sales).
- IC 25-20-1-21 (Concerning hearing aid dealers).
- IC 25-20.7-5-1 (Concerning interior designers).
- IC 25-21.5-5-10 (Concerning ~~land~~ professional surveyors).
- IC 25-21.5-13-2 (Concerning ~~land~~ professional surveyors).



- 1 IC 25-21.8-7-1 (Concerning massage therapists).
- 2 IC 25-22.5-8-2 (Concerning physicians).
- 3 IC 25-22.5-8-3 (Concerning physicians).
- 4 IC 25-23-1-27 (Concerning nurses).
- 5 *IC 25-23.4-3-7 (Concerning certified direct entry midwives).*
- 6 IC 25-23.5-3-2 (Concerning occupational therapists).
- 7 IC 25-23.6-3-3 (Concerning marriage and family therapists).
- 8 IC 25-23.6-4-4 (Concerning marriage and family therapists).
- 9 IC 25-23.6-4.5-4 (Concerning marriage and family therapists).
- 10 IC 25-23.6-7-7 (Concerning marriage and family therapists).
- 11 IC 25-23.6-10.1-6 (Concerning marriage and family therapists).
- 12 IC 25-23.6-11-1 (Concerning marriage and family therapists).
- 13 IC 25-23.6-11-2 (Concerning marriage and family therapists).
- 14 IC 25-23.6-11-3 (Concerning marriage and family therapists).
- 15 **IC 25-23.6-12-22 (Concerning professional art therapists).**
- 16 IC 25-23.7-7-5 (Concerning manufactured home installers).
- 17 IC 25-24-1-18 (Concerning optometrists).
- 18 IC 25-24-3-17 (Concerning optometrists).
- 19 IC 25-26-13-29 (Concerning pharmacists, pharmacies, and drug
- 20 stores).
- 21 IC 25-26-14-23 (Concerning pharmacists, pharmacies, and drug
- 22 stores).
- 23 IC 25-26-14-25 (Concerning pharmacists, pharmacies, and drug
- 24 stores).
- 25 IC 25-26-14-26 (Concerning pharmacists, pharmacies, and drug
- 26 stores).
- 27 IC 25-26-14-27 (Concerning pharmacists, pharmacies, and drug
- 28 stores).
- 29 IC 25-26-19-9 (Concerning pharmacists, pharmacies, and drug
- 30 stores).
- 31 IC 25-26-21-11 (Concerning pharmacists, pharmacies, and drug
- 32 stores).
- 33 IC 25-27-1-12 (Concerning physical therapists).
- 34 IC 25-27.5-7-2 (Concerning physician assistants).
- 35 IC 25-28.5-1-31 (Concerning plumbers).
- 36 IC 25-29-9-1 (Concerning podiatrists).
- 37 IC 25-30-1-21 (Concerning private investigator firms, security
- 38 guards, and polygraph examiners).
- 39 IC 25-30-1.3-23 (Concerning private investigator firms, security
- 40 guards, and polygraph examiners).
- 41 IC 25-31-1-13 (Concerning engineers).
- 42 IC 25-31-1-27 (Concerning engineers).



- 1 IC 25-31.5-8-7 (Concerning soil scientists).
- 2 IC 25-33-1-15 (Concerning psychologists).
- 3 IC 25-34.5-3-2 (Concerning respiratory care specialists).
- 4 IC 25-35.6-3-10 (Concerning speech pathologists and
- 5 audiologists).
- 6 IC 25-36.1-1-2 (Concerning surgical technologists).
- 7 IC 25-36.5-1-10 (Concerning timber buyers).
- 8 IC 25-36.5-1-15 (Concerning timber buyers).
- 9 IC 25-38.1-4-10 (Concerning veterinarians).
- 10 IC 25-38.1-4-11 (Concerning veterinarians).
- 11 IC 25-39-5-1 (Concerning water well drilling contractors).
- 12 IC 25-39-5-7 (Concerning water well drilling contractors).
- 13 IC 25-41-1-2 (Concerning behavior analysts).

